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7 MS. GIAMPAOLI: Thank you. My name is Mary
8 SEP 30 1999
8 Ellen Giampaoli. I work for the Nye County Department of
9 Natural Resources and Federal Facilities and I'm going to just
10 basically summarize the statement that I read this morning. In
11 the interest of time, I'll read quickly.

12 As noted before, the purpose of the EIS is to
13 identify and evaluate the potential impacts that will likely
14 occur when DOE begins the construction, operation and closure
15 of the proposed repository at Yucca Mountain.

1 16 Nye County in its review finds that the EIS
17 presents the perspective of only a single federal agency in its
18 analysis of potential impacts.

19 Unfortunately, this EIS does not incorporate the
20 data, methods, viewpoints or analyses of the host county, Nye
21 County.

22 Because of this narrow agency viewpoint, the EIS
23 does not realistically define the affected environment in the
24 appropriate regions of influence for study, it ignores data and
25 information and analyses collected and prepared by Nye County,

11 1 and it fails to identify the other federal actions and policies
2 that affect Nye County in its analysis of cumulative impacts.

2 3 As a result, the analysis in the EIS does not
4 accurately portray how this action proposal could potentially
5 affect the residents of Nye County, the citizens most directly
6 affected and subject to both the short-term consequences and
7 the long-term risks associated with the repository at Yucca
8 Mountain.

3 9 Thus Nye County believes that the EIS is

10 inadequate and requests that a second draft be released that
11 addresses these inadequacies and be released for public review
12 and comment.

4

13 The regions of influence or study areas that were
14 selected in this EIS reflect the narrow federal viewpoint.

15 There's an inherent policy statement in the
16 document that DOE believes that federal land ownership in the
17 majority of Nye County abrogates their responsibility to
18 evaluate impacts the non-federal entities who live in their
19 midst.

20 For example, the analysis of land use impacts is
21 limited only to DOE's proposed land withdrawal for repository
22 in its potential effect on its federal neighbors.

23 It does not even consider the impacts to the Town
24 of Amargosa Valley, which is overlapped by this federal land
25 withdrawal.

1 In essence, by using the selected areas, DOE has
2 limited its evaluation of impacts to the federally managed land
3 and has taken the position of any other unquantified impacts to
4 the surrounding communities would simply be absorbed.

5

5 Further, by using these regions of influence in
6 the analysis, the potential impacts to Nye County and its
7 residents are completely minimized and the impacts on the
8 resources are just not even identified.

9 Land use, water resources and demographic
10 baseline data are examples of resource areas where
11 inappropriate regions of influence and baseline data were used.

12 As a result, the EIS does not accurately evaluate

13 and quantify the related effects and the risks that rely upon
14 population and related demographic data.

6

15 NEPA affords local governments the opportunity to
16 identify potential impacts as they have affected local
17 environment, especially when an action is site specific as is
18 this one.

19 NEPA also allow -- allows in the President's
20 Council on Environmental Quality recommends that local
21 government be closely involved in the NEPA process, even an
22 equal footing at cooperating agencies.

23 We know that Nye County repeatedly requested such
24 status and was denied, and as such, was not an effective
25 partner in preparing this EIS.

7

1 Just as the EIS acknowledged the views of the
2 Native American tribes in the region, the EIS should
3 acknowledge the views of Nye County.

4 The viewpoints, analysis and mitigation measures
5 which were provided by the county in its analysis are
6 referenced, but not incorporated and have not been fully
7 implemented into the proposed action.

8

8 Within the EIS, DOE identifies opposing technical
9 viewpoints. DOE, however, identifies Nye County's perspective
10 only as a local viewpoint, but not as an opposing technical
11 viewpoint.

12 Now although Nye County agrees on many of the
13 technical issues, in instances where our analyses yielded
14 different results, we believe that these conclusions should be
15 clearly identified as opposing technical viewpoints, as well.

9

16: As noted before, the EIS fails to identify the
17 indirect and the direct cumulative impacts in the locale of the
18 proposed action as required by NEPA and thus that analysis is
19 flawed.

20 The EIS fails to include the impacts of past and
21 present federal actions and reasonably foreseeable future
22 actions identified in other state and local documents.

10

23 In this regard, federal agencies, including the
24 DOE, the BLM, US Forest Service, the National Park Service, the
25 United States Air Force, the United States Navy, the Bureau of

1 Indian Affairs and US Fish & Wildlife Service have repeatedly
2 failed to fulfill their obligations under NEPA by refusing to
3 acknowledge such impacts in their NEPA reviews and provide the
4 mitigation measures that are appropriate.

5 Nye County's analyses and evaluations identified
6 a range of direct and indirect cumulative impacts in areas such
7 as transportation, land use, water resources, lost economic
8 opportunity and others.

9 The county believes that these are adverse and
10 significant impacts and that they must be mitigated through
11 various measures.

12 Finally, with the cessation of nuclear weapons
13 testing in 1992, Nye County has made substantial efforts to
14 plan for its economic future in the US 95 corridor.

15 The EIS does not recognize these plans and it
16 does not reflect an obligation by DOE to ensure that this
17 proposal will not thwart those plans.

18 Nye County by virtue of its location,

19 characteristics and its overwhelming federal presence has been
20 disproportionately impacted by past, present and continuing
21 federal actions.

22 Nye County must receive just equity offsets
23 mitigation and compensation from the United States to mitigate
24 the cumulative effects of these past and present actions and
25 the proposed repository should it go forward.

1 Nye County will continue to identify
2 environmental issues, potential human health and safety
3 concerns and the appropriate mitigation measures and will
4 ensure that the county's position is made part of DOE's
5 administrative record in the NEPA process.

6 Thank you.